

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Hearing Date: May 21, 2019
Hearing Time: 10:00 a.m.
Hearing Place: S.D.N.Y. BK,
300 Quarropas Street, White
Plains, New York

In re:

SEARS HOLDINGS CORPORATION, et al.,

Debtor.

NOTICE OF MOTION

Case No.: 18-23538 (RDD)
Chapter 11

**NOTICE OF HEARING ON MOTION TO COMPEL DEBTOR, K MART
CORPORATION, TO ASSUME OR REJECT A GRAND CENTRAL PLAZA LEASE
AGREEMENT AND TO ALLOW AN ADMINISTRATIVE EXPENSE CLAIM FOR
POST-PETITION PAYMENTS**

PLEASE TAKE NOTICE that on May 21, 2019, at 10:00 a.m. in the forenoon or as soon thereafter as counsel may be heard, the undersigned, attorney for Landlord, GRAND CENTRAL PLAZA, INC. ("GC Plaza"), will move before the Honorable Robert D. Drain, U.S.B.J., United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York, for an Order compelling the Debtor, KMART CORPORATION ("K Mart"), to assume or reject a Lease Agreement. Upon the return date, counsel shall rely upon the annexed Declaration of Glenn M. Fjermedal, Esq., on behalf of Landlord GC Plaza.


PLEASE TAKE FURTHER NOTICE, that Objections, if any, to GC Plaza's Motion must be made in writing, with a hard copy delivered to the Chambers of the Honorable Robert D. Drain, U.S.B.J., United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules, shall be filed with the Bankruptcy Court (a) by attorneys practicing in the Bankruptcy Court, including attorneys admitted *pro*

hac vice, electronically in accordance with General Order M-399 (which can be found at www.nysb.uscourts.gov), and (b) by all other parties in interest, on a CD-Rom, in text-searchable portable document format (PDF), to the extent applicable, and shall be served in accordance with the *Amended Order Implementing Certain Notice and Case Management Procedures* (the "**Amended Case Management Order**"), entered on November 1, 2018 (Docket No. 405), so as to be filed and received no later than **May 1, 2019 at 4:00 p.m. (Eastern Time)** (the "Objection Deadline").

PLEASE TAKE FURTHER NOTICE that if an Objection to the Motion is not received by the Objection Deadline, the relief requested shall be deemed unopposed, and the Bankruptcy Court may enter an order granting the relief sought without a hearing pursuant to the Case Management Order.

PLEASE TAKE FURTHER NOTICE that any objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted upon default.

Dated: Rochester, New York
April 5, 2019



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United States Bankruptcy Court for the Southern District of New York
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